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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,323	04/12/2004	Uwe Hoffmann	81764/LPK	2623

7590 02/06/2006
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EXAMINER

MARTIN, LAURA E

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,323

Applicant(s)

HOFFMANN ET AL.

Examiner

Laura E. Martin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 5 rejected under 35 U.S.C. 102(b) as being anticipated by Wyngaert et al. (US 6554398).

As per claim 1, Wyngaert et al. teaches a method for positioning a printing head of a printing press comprising the steps of applying marks (figure 4, elements 120a, 120a') on a support wherein the marks are applied to two opposite sides of the support (figure 3, elements 100); detecting said marks (column 9, lines 39-52) respectively by two correspondingly arranged sensors (figure 4, elements 115, 116); and, as a consequence adjusting the printing head so as to be oriented in response to the results of the two sensors (column 7, lines 28-50).

As per claim 2, Wyngaert et al. teaches the printing head is oriented so that one side of the printing head is swiveled in the transport direction of the support (column 9, lines 12-16) for ensuring the proper registration and/or registration mark stability (column 9, lines 53-60).

As per claim 5, Wyngaert et al. teaches an imaging device for a printing press comprising: a printing head which can swivel in the transport direction of a support (figure 3, element 100; column 9, lines 12-16) for ensuring proper registration and/or

registration mark stability (column 9, lines 53-60), using marks applied on two opposite sides of the support (figure 4, element 120a, 120a').

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wyngaert et al. (US 6554398) in view of Beauchamp et al. (US 5975674).

Wyngaert et al. teaches the method of claim two, and two sensors (figure 4, elements 115 and 116); however, it does not disclose a plurality of marks on each side of the support with different colors, a sensor to detect the individual marks of each color and the printing heads associated with the different colors are oriented in response to the results in terms of the individual marks.

Beauchamp et al. teaches disclose a plurality of marks on each side of the support with different colors, a sensor to detect the individual marks of each color and the printing heads associated with the different colors are oriented in response to the results in terms of the individual marks (column 11, lines 20-39).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Wyngaert et al. with the method of Beauchamp et al. in order to improve printhead orientation.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wyngaert et al. (US 6554398) in view of Wong (US 5384592).

Wyngaert et al. teaches the method according to claim 1, as well as two sensors (figure 4, elements 115 and 116). Wyngaert et al. does not disclose a calibration sheet of printed material is provided with triangular marks that are detected by the sensors and the position of the sensors are used with respect to one another in the transport direction of the calibration sheet.

Wong teaches a calibration sheet of printed material is provided with triangular marks that are detected by the sensors and the position of the sensors are used with respect to one another in the transport direction of the calibration sheet (column 4, lines 42-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the methods of Wyngaert et al. with the method of Wong in order to provide a higher quality printed image.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Laura E. Martin

 2/3/06
MANISH S. SHAH
PRIMARY EXAMINER